Appendix

[Vide item II at page 27 supra.]

L.A. BILL No. 1 OF 1946.

A Bill to amend the Madras Payment of Salaries and Removal of Disqualifications Act, 1937.

(As passed by the Assembly.)

Madras Act IX of 1937.

WHEREAS it is expedient to amend the Madras Payment of Salaries and Removal of Disqualifications Act, 1937, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Madras Payment of Salaries and Removal of Disqualifications (Amendment) Act, 1946.

(2) It shall be deemed to have come into force on the 1st day of May 1946:

Madras Act IX of 1937.

Provided that travelling allowances may be paid under clause (*a*) of section 6-A of the Madras Payment of Salaries and Removal of Disqualifications Act, 1937, as amended by this Act, in respect of any journey performed before that date.

Madras Act IX of 1937

Amendment of section 2, Madras Act IX of 1937.

2. In the Madras Payment of Salaries and Removal of Disqualifications Act, 1937 (hereinafter referred to as the said Act), in section 2 which relates to the Prime Minister and the other Ministers, for the words "a salary of rupees five hundred per mensem, a house rent allowance of rupees one hundred per mensem and a conveyance allowance of rupees one hundred and fifty per mensem", the following words shall be substituted, namely:—

"a salary of rupees one thousand per mensem, a house rent allowance of rupees two hundred and fifty per mensem and a conveyance allowance of rupees two hundred and fifty per mensem; but the house rent allowance shall not be paid to any Minister if he occupies a house provided by the Provincial Government, free of rent".

Amendment of section 3, Madras Act IX of 1937.

3. In section 3 of the said Act—

(i) in sub-section (1) which relates to the Speaker of the Legislative Assembly, for the words "a salary of rupees five hundred per mensem, a house-rent allowance of rupees one hundred per mensem and a conveyance allowance of rupees one hundred and fifty per mensem", the following words shall be substituted, namely:—

"a salary of rupees one thousand per mensem, a house rent allowance of rupees two hundred and fifty per mensem and a conveyance allowance of rupees two hundred and fifty per mensem; but the house rent allowance shall not be paid to the Speaker if he occupies a house provided by the Provincial Government, free of rent";

(ii) in sub-section (2) which relates to the Deputy Speaker of the said Assembly, for the words "a salary of rupees one hundred and fifty per mensem", the words "a salary of rupees three hundred per mensem" shall be substituted.

Amendment of section 4, Madras Act IX of 1937.

4. In section 4 of the said Act—

(i) in sub-section (1) which relates to the President of the Legislative Council, for the words "a salary of rupees two hundred and fifty per mensem, a house rent allowance of rupees one hundred per mensem and a conveyance allowance of rupees one hundred and fifty per mensem", the following words shall be substituted, namely:—

"a salary of rupees five hundred per mensem, a house rent allowance of rupees two hundred and fifty per mensem and a conveyance allowance of

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rupees two hundred and fifty per mensem; but the house rent allowance shall not be paid to the President if he occupies a house provided by the Provincial Government, free of rent";

(ii) in sub-section (2) which relates to the Deputy President of the said Council, for the words "a salary of rupees one hundred and fifty per mensem", the words "a salary of rupees three hundred per mensem" shall be substituted.

Substitution of new section for section 5, Madras Act IX of 1937.

5. For section 5 of the said Act which relates to Parliamentary Secretaries, the following section shall be substituted, namely :—

Salaries of Parliamentary Secretaries.

"5. There shall be paid to the Chief Parliamentary Secretary a salary of rupees six hundred per mensem and to each of the other Parliamentary Secretaries a salary of rupees five hundred per mensem.

There shall also be paid to each of the Parliamentary Secretaries, including the Chief Parliamentary Secretary, a consolidated house rent and conveyance allowance of rupees two hundred and fifty per mensem."

Amendment of section 6, Madras Act IX of 1937.

6. In section 6 of the said Act which relates to the provision of conveyances, for the words "the Ministers and the Speaker", the words "the Ministers, the Speaker and the President" shall be substituted.

Insertion of new section 6-A in Madras Act IX of 1937.

7. After section 6 of the said Act, the following section shall be inserted, namely :—

Travelling allowances of Ministers, etc., on assuming and relinquishing office.

"6-A. A Minister, the Speaker, the President, or a Parliamentary Secretary shall be entitled to travelling allowances for himself and the members of his family and for the transport of his personal effects, at such rates and upon such conditions as may be determined by the Provincial Government—

(*a*) in respect of the journey for assuming office to the City of Madras from his usual place of residence in the Province of Madras, if such place is outside the City, and

(*b*) in respect of the journey on relinquishing office, from the City of Madras to his usual place of residence in the Province before he assumed office, if such place is outside the City."

Amendment of section 9, Madras Act IX of 1937.

8. (1) In the said Act, section 9 which relates to members of the Legislative Assembly and the Legislative Council shall be renumbered as sub-section (1) of section 9.

(2) In clause (*a*) of sub-section (1) aforesaid, for the words "a salary of rupees seventy-five per mensem", the words "a salary of rupees one hundred and fifty per mensem" shall be substituted.

(3) After sub-section (1) aforesaid, the following sub-section shall be added, namely :—

"(2) The salary referred to in clause (*a*) of sub-section (1) shall accrue to a member from the date on which he is declared duly elected, or in the case of a member chosen by the Governor in his discretion to fill a seat in the Legislative Council, from the date on which he is so chosen, or, if such declaration or choice is made before the vacancy occurs, from the date of occurrence of the vacancy:

Provided that such salary shall not be paid until the member has made and subscribed the oath or affirmation of allegiance prescribed by the Government of India Act, 1935." 26 Geo. 5, Ch. 2.

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9. For section 10 of the said Act which relates to the relinquishment of salaries and allowances, the following section shall be substituted, namely :—

Substitution of new section for section 10, Madras Act IX of 1937.

Relinquishment of salaries and allowances and cancellation thereof.

"10. (1) Any person entitled to any salary or allowance under this Act may at any time—

(i) relinquish the whole or any portion of such salary or allowance ; and

(ii) cancel such relinquishment.

(2) Such relinquishment or cancellation shall be made in writing and shall take effect at such time and subject to such conditions as the Provincial Government may, by rules, determine.

(3) For the removal of doubts, it is hereby declared—

(*a*) that a relinquishment may be made under clause (i) of sub-section (1) even after a previous relinquishment has been cancelled under clause (ii) of that sub-section ; and

(*b*) that a relinquishment made before the 1st day of May 1946 shall be deemed to have been made under clause (i) of sub-section (1) and is liable to be cancelled under clause (ii) of that sub-section."

10. Nothing contained in this Act shall, save as otherwise specified in the proviso to sub-section (2) of section 1, be deemed to authorize the payment of any salary or allowance to any person in respect of the period before the 1st day of May 1946.

No salary or allowance payable for period before 1st May 1946.

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